

LABEL, IN PART: "Golden Isle Tasty Foods Field Peas with Snaps * * *
Packed by The Ploeger-Abbott Company Waynesboro, Georgia."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance. (The article contained larvae.)

DISPOSITION: March 28, 1947. Default decrees of condemnation. The product was ordered delivered to a Federal institution, for use as hog feed.

12154. Adulteration of frozen peas. U. S. v. 400 Cartons * * *. (F. D. C. No. 22286. Sample Nos. 76132-H, 91081-H.)

LIBEL FILED: February 20, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 15, 1946, by J. Isaacs, from Georgetown, Del.

PRODUCT: 400 50-pound cartons of frozen peas at New York, N. Y.

LABEL, IN PART: "Early June Peas John S. Isaacs & Sons Ellendale, Delaware."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a sour and decomposed substance.

DISPOSITION: March 22, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12155. Misbranding of canned sweet red peppers. U. S. v. 475 Cases * * *. (F. D. C. No. 22687. Sample No. 64935-H.)

LIBEL FILED: On or about March 12, 1947, District of Connecticut.

ALLEGED SHIPMENT: On or about October 9, 1946, by the Giambanco Packing Co., from Claribel, Oakdale, Calif.

PRODUCT: 475 cases, each containing 72 6½-ounce cans, of sweet red peppers at New Haven, Conn.

LABEL, IN PART: "Pee-Gee Brand Sweet Red Peppers * * * Seeds Removed * * * Net Weight 6½ Oz."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Seeds Removed" was false and misleading; Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (a), (portion of product) the label statement "Sweet Red Peppers" was false and misleading. (The article was short-weight; numerous seeds were found in the peppers; and a portion consisted of hot peppers.)

DISPOSITION: October 24, 1947. The Pepe-Maisano Co., New Haven, Conn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, the sweet peppers to be relabeled and the hot peppers to be relabeled or destroyed, under the supervision of the Food and Drug Administration.

12156. Misbranding of canned sweet red peppers. U. S. v. 50 Cases * * *. (F. D. C. No. 22642. Sample No. 41272-H.)

LIBEL FILED: March 18, 1947, Western District of Arkansas.

ALLEGED SHIPMENT: On or about December 19, 1946, by Leverton and Company, from San Benito, Tex.

PRODUCT: 50 cases, each containing 48 7-ounce cans, of sweet red peppers at Camden, Ark. Examination showed that the product was decomposed.

LABEL, IN PART: "World Over Fancy Sweet Peppers."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned red sweet peppers, since it had not been processed by heat so as to prevent spoilage.

DISPOSITION: September 2, 1947. Default decree of condemnation and destruction.

12157. Adulteration of pickles. U. S. v. 60 Cases * * *. (F. D. C. No. 22177. Sample No. 54742-H.)

LIBEL FILED: On or about January 17, 1947, Northern District of Georgia.

ALLEGED SHIPMENT: On or about December 7, 1946, by L. Allen and Sons, from O'Fallon, Ill.

PRODUCT: 60 cases, each containing 24 1-pint jars, of pickles at Conley, Ga.

LABEL, IN PART: "Fleishmans Products Fancy Small Sour Pickles * * *
Packed by Fleishman's Pickles, Inc. St. Louis, Mo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of grit.

DISPOSITION: February 21, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12158. Adulteration of pickles. U. S. v. 750 Cartons * * *. (F. D. C. No. 22474. Sample No. 40147-H.)

LABEL FILED: February 2, 1947, Western District of Tennessee.

ALLEGED SHIPMENT: On or about August 22, 1946, by the Atkins Packing Company, from Atkins, Ark.

PRODUCT: 750 cartons, each containing 24 16-fluid-ounce jars, of pickles at Memphis, Tenn.

LABEL, IN PART: "The Original Harvest Brand Home Style Pickles."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of dirt and grit.

DISPOSITION: April 30, 1947. The Atkins Packing Company, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

12159. Misbranding of dill pickles. U. S. v. 836 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 22513, 23080. Sample Nos. 62203-H, 62204-H, 82705-H, 82706-H.)

LABELS FILED: On or about February 11 and June 20, 1947, District of Montana.

ALLEGED SHIPMENT: On or about July 22 and 25, 1946, by Aladdin Food Products, Inc., from Los Angeles, Calif.

PRODUCT: Dill pickles. 836 cases, each containing 12 jars, at Great Falls, Mont., and 304 cases, each containing 12 jars, at Bozeman, Mont.

LABEL, IN PART: "Contents 1 Pt. 8 Fl. Oz. Magic Brand Dill Pickles [or "Chips"]."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short-volume.)

DISPOSITION: April 17 and August 14, 1947. Default decrees of condemnation. The product was ordered delivered to public institutions.

12160. Adulteration of canned pimientos. U. S. v. 348 Cases * * *. (F. D. C. No. 22193. Sample Nos. 54814-H, 55207-H.)

LABEL FILED: January 22, 1947, Western District of South Carolina.

ALLEGED SHIPMENT: On or about October 25, 1946, by the Concord Canning Co., from Concord, Ga.

PRODUCT: 348 cases, each containing 24 cans, of pimientos at Greenville, S. C.

LABEL, IN PART: (Cans) "Miss Georgia Brand Pieces Red Pimientos Contents 1 lb. 12 ozs. Packed by Besco Products Co., Zebulon, Ga."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: May 1, 1947. No claimant having appeared, judgment of condemnation was entered. It was ordered that the portion of the product which was found to be fit for human consumption be turned over to a Federal penitentiary, for use by the inmates, and that the portion which was found to be unfit be destroyed. Thereafter, the Concord Canning Co. filed a petition as claimant, requesting a modification of the decree of May 1, 1947; and on May 9, 1947, an amended decree was entered, ordering that the portion of the product which was found suitable for human consumption be released to the claimant under bond, to be brought into compliance with the law, under the supervision of the Food and Drug Administration.